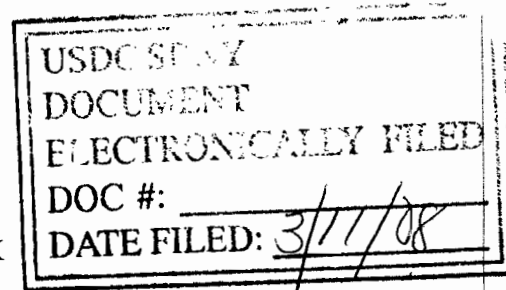


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



**In Re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation**

**Master File No. 1:00 – 1898
MDL 1358 (SAS)
M21-88**

This document relates to:

Basso, et al. v. Sunoco, Inc., et al., 03 Civ. 9050
Tonneson, et al. v. Sunoco, Inc., et al., 03 Civ. 8248

**[PROPOSED] ORDER MODIFYING
CASE MANAGEMENT ORDER NO. 35**

By agreement of Defendants/Third-Party Plaintiffs Sunoco, Inc. and Sunoco, Inc. (R&M) ("Sunoco"), and Third-Party Defendant Town of Highlands, and with permission of the Court, Section 2 ("Dispositive Motions") of Case Management Order No. 35 ("CMO 35") in the above-captioned action is hereby modified as follows with respect to briefs pertaining to the Town of

Highlands' Counterclaims against Sunoco:

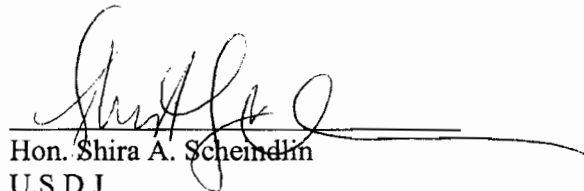
Moving papers shall be filed on or before April 11, 2008;

Opposition papers shall be filed on or before May 23, 2008;

Reply papers shall be filed on or before June 20, 2008;

Dated: New York, New York
March 11, 2008

SO ORDERED:


Hon. Shira A. Scheindlin
U.S.D.J.